

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION OPIATE  
LITIGATION

MDL No. 2804

Case No. 17-md-2804

This document relates to:

Judge Dan Aaron Polster

*City of Chicago v. Purdue Pharma L.P. et al.,  
Case No. 1:17-op-45169*

**JOINT STIPULATION OF DESIGNATION OF REMAND RECORD  
PURSUANT TO JPML RULE 10.4(a)**

Pursuant to Rule 10.4(a) of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation (“JPML”), Plaintiff City of Chicago (the “City”) and Defendants Teva Pharmaceuticals USA, Inc., Cephalon, Inc., Johnson & Johnson, Janssen Pharmaceuticals, Inc., Janssen Pharmaceutica, Inc. n/k/a Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc., Endo Health Solutions Inc., Endo Pharmaceuticals, Inc., Allergan plc f/k/a Actavis plc, Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., and Mallinckrodt LLC (collectively, “Defendants”),<sup>1</sup> hereby submit

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<sup>1</sup> Claims against Defendants Purdue Pharma L.P., Purdue Pharma Inc., and the Purdue Frederick Company, Inc. (collectively, “Purdue”), are stayed due to bankruptcy proceedings. Accordingly, Purdue is not participating in the record designation. In addition, defendants against whom claims were dismissed are not included in this filing, although the City has continued to preserve its rights to seek relief against those defendants in its Fourth Amended Complaint, filed April 25, 2019 (corrected version filed May 29, 2019, MDL Doc. 512). Allergan plc f/k/a Actavis plc, an Irish corporation, contests that it is subject to jurisdiction in United States courts and expressly reserves all defenses including those related to personal jurisdiction and service of process.

the parties' joint stipulation of the contents of the record to be remanded to the U.S. District Court for the Northern District of Illinois, and state as follows:

The City initially filed this case in the Northern District of Illinois on June 2, 2014. The JPML subsequently transferred the case to this Court for consolidated proceedings as part of in *In re: National Prescription Opiate Litig.*, Case No. 1:17-MD-2804 (N.D. Ohio). On November 19, 2019, this Court filed Suggestions of Remand, including this action, with the JPML. *See* MDL Doc. 2941. The JPML issued a Conditional Remand Order including this action on November 20, 2019. *See* JPML Doc. 6257. As no party objected to the Conditional Remand Order within seven days of its issuance, it has now taken effect with respect to this case. *See* MDL Doc. 2957.

Pursuant to JPML Rule 10.4(a) and the above-referenced remand order, the following items are hereby designated for inclusion in the record on remand:

- A. As required by JPML Rule 10.4(b), all entries in the Northern District of Illinois's individual case docket for *City of Chicago v. Purdue Pharma L.P. et al.*, No. 14-cv-04361 (N.D. Ill.);
- B. All entries in the Northern District of Ohio's individual case docket for *City of Chicago v. Purdue Pharma L.P. et al.*, No. 1:17-op-45169 from the date of transfer forward; and
- C. The documents from the Master MDL Docket, No. 1:17-md-2804 (N.D. Ohio), that are jointly stipulated or designated by a party and listed on Attachment A hereto, provided that all parties reserve all rights and objections to documents not jointly designated.

The parties reserve the right to challenge the relevance, admissibility, and/or legal effect of any document or filing designated herein upon remand. Further, while the parties were diligent in reviewing the dockets and making these designations, the parties reserve the right to present to

the transferor court any documents or filings that were inadvertently excluded from this designation, and all other parties reserve all objections to such documents.

Dated: December 24, 2019

Respectfully submitted,

MARK FLESSNER  
**Corporation Counsel, City of Chicago**

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 24th day of December, 2019, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF Systems.

/s/ *Linda Singer*

Linda Singer